

# DELAWARE VALLEY SCHOOL DISTRICT

SECTION: COMMUNITY  
TITLE: PUBLIC COMPLAINTS  
ADOPTED: NOVEMBER 19, 2015  
REVISED: NOVEMBER 19, 2015

<p>906. PUBLIC COMPLAINTS</p>	
<p>1. Purpose</p>	<p>Any parent/guardian, resident or community group shall have the right to present a request, suggestion or complaint concerning district personnel, programs, or operations of the district. At the same time, the Board has a duty to protect its staff from unnecessary harassment. It is the Board's intent to provide a fair and impartial manner for seeking appropriate remedies.</p> <p>Any misunderstandings between the public and the school district shall be resolved by informal, direct discussions among the interested parties, following the established organizational structure. Only when informal meetings fail to resolve the differences shall more formal procedures be employed.</p>
<p>2. Authority</p> <p>20 U.S.C. Sec. 7844</p>	<p>In accordance with law, the Board shall adopt a written procedure that provides parents/guardian, public agencies, other individuals, and organizations a means to submit and resolve complaints alleging violations in the administration of educational programs under the No Child Left Behind act. The complaint procedure shall be available to the public, a copy maintained in each school, and be distributed annually to parents/guardians and staff.</p> <p>Any requests, suggestions or complaints directed to individual Board members and/or the Board shall be referred to the Superintendent for consideration and action. If further action is warranted, based on the initial investigation, such action shall be in accordance with established guidelines.</p>
<p>3. Guidelines</p>	<p><u>Matters Regarding A Staff Member</u></p> <p>First Level - A matter specifically directed toward a district staff member shall be addressed initially to the concerned employee, who shall discuss it with the complainant and make every effort to provide a reasonable explanation or take appropriate action within the employee's authority.</p> <p>As appropriate, the staff member shall report the matter and the resolution to the building principal or immediate supervisor.</p> <p>Second Level - If the matter cannot be resolved satisfactorily at the first level, it</p>

<p>20 U.S.C. Sec. 7844</p>	<p>shall be discussed by the complainant with the building principal or the employee's immediate supervisor.</p> <p>Third Level - If a satisfactory solution is not achieved by discussion with the building principal or immediate supervisor, a conference shall be scheduled with the Superintendent or designee. The principal or supervisor will provide to the Superintendent or designee a report that includes the specific nature of the complaint, and a brief statement of relevant facts, how the complainant has been affected adversely, the action requested, and the reasons why such action should be taken.</p> <p>Fourth Level - Should the matter not be resolved by the Superintendent or designee or is beyond his/her authority and requires Board action, the Superintendent or designee shall provide the Board with a complete report.</p> <p>Final Level - The Board, after reviewing all material relative to the case, shall provide the complainant with its written decision and may grant a hearing before the Board or a committee of the Board.</p> <p>The complainant shall be advised of the Board's decision, in writing, no more than ten (10) days following the hearing.</p> <p><u>Matters Regarding A Program/Operation/Instructional Materials</u></p> <p>A request, suggestion, or complaint relating to a matter of district or school policy, procedure, program, operation or instructional materials shall be addressed initially to the building principal or the department head who is directly concerned and then brought to higher levels of authority in the manner prescribed in this policy.</p> <p><u>Matters Regarding Student Progress/Well-Being</u></p> <p>In the case of a complaint directed toward this area, the guidelines specified in this policy shall be followed.</p> <p><u>NCLB Complaint Procedure</u></p> <p>Complaints alleging violations of law in the district's administration of NCLB education programs shall be processed in accordance with the following procedure.</p> <p>The complaint must be filed with the district as a written, signed statement that identifies:</p> <ol style="list-style-type: none"><li>1. Alleged NCLB violation.</li><li>2. Facts supporting the alleged violation.</li></ol>
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3. Supporting documentation, such as information on discussions, correspondence or meetings with the district regarding the complaint.

Complaints shall be referred to the Director of Elementary Education or Director of Secondary Education, who will notify the Superintendent or designee.

The appropriate Director will conduct an independent investigation, which could include but not be limited to:

1. On-site visit to the building that is the subject of the complaint.
2. Opportunity to present evidence by all individuals and/or organizations involved.
3. Opportunity for each side to question parties of other side and witnesses.

When the investigation is completed, the Director will prepare a report with a recommendation for resolving the complaint. The report will include:

1. Name of the individual or organization filing the complaint.
2. Nature of the complaint.
3. Summary of the investigation.
4. Recommended resolution.
5. Reasons for the recommended resolution.

The Director will submit the report to the Superintendent or designee, who will determine whether further investigation is required and/or the district's final response.

All parties involved in the complaint will be notified of the resolution of the complaint by the Superintendent or designee.

The Director will ensure that the resolution of the complaint is implemented.

The time period between receipt and resolution of a complaint will not exceed sixty (60) calendar days, unless circumstances require additional time.

Either party may appeal the final resolution to the Pennsylvania Department of Education.

Division of Federal Programs  
PA Department of Education  
333 Market Street  
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National School Lunch Program

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Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

References:

No Child Left Behind Act – 20 U.S.C. Sec. 7844